

September 18, 2015

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
SEPTEMBER 18, 2015

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 11:00 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD ON AUGUST 21, 2015

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD ON AUGUST 21, 2015?

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions from Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	144.....	18
Agriculture.....	427.....	20
Arts Council.....	12.....	2
Capitol Development Board.....	47.....	0
Central Management Services.....	1,407.....	113
Children and Family Services.....	2,628.....	47
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	316.....	69
Commerce Commission.....	62.....	0
Corrections.....	11,884.....	98
Criminal Justice Authority.....	56.....	6
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	9.....	1
Emergency Management Agency.....	80.....	6
Employment Security.....	1,224.....	32
Environmental Protection Agency.....	745.....	18
Financial & Professional Regulation.....	443.....	49
Gaming Board.....	169.....	6
Guardianship and Advocacy.....	99.....	8
Healthcare and Family Services.....	2,038.....	26
Historic Preservation Agency.....	156.....	14
Human Rights Commission.....	14.....	2
Human Rights Department.....	134.....	9
Human Services.....	13,441.....	76
Illinois Torture Inquiry Relief Commission.....	2.....	1
Independent Tax Tribunal.....	1.....	0
Insurance.....	249.....	16
Investment Board.....	3.....	2
Juvenile Justice.....	1,055.....	25
Labor.....	95.....	11
Labor Relations Board Educational.....	10.....	2
Labor Relations Board State.....	14.....	2
Law Enforcement Training & Standards Bd.....	18.....	2
Lottery.....	133.....	7
Military Affairs.....	123.....	3
Natural Resources.....	1,460.....	31
Pollution Control Board.....	19.....	2
Prisoner Review Board.....	20.....	0
Property Tax Appeal Board.....	31.....	1
Public Health.....	1,188.....	41
Racing Board.....	2.....	1
Revenue.....	1,670.....	54
State Fire Marshal.....	125.....	12
State Police.....	1,091.....	9
State Police Merit Board.....	5.....	2
State Retirement Systems.....	110.....	3
Transportation.....	2,289.....	0
Veterans' Affairs.....	1,405.....	9
Workers' Compensation Commission.....	124.....	11
TOTALS.....	46,788.....	868

B. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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C. Illinois Dept. of Revenue – proposed exemption (continued from August 21, 2015)

Position Number	40070-25-41-200-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Audit Discovery & Recovery
Functional Title	Audit Discovery & Recovery Division Manager
Incumbent	Laurie Riva
Supervisor	Audit Program Administrator who reports to the Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarity of the requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

D. Illinois Historic Preservation Agency – proposed exemption

Position Number	40070-48-00-300-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Human Resources Director
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarity of the requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

E1. Illinois Department of Children & Family Services – proposed exemption

Position Number	40070-16-00-260-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Senior Deputy Director of Program Practice, Quality & Research
Incumbent	Vacant
Supervisor	Chief Deputy Director who reports to the Director
Location	Cook County

E2. Illinois Department of Children & Family Services – proposed exemption

Position Number	40070-16-00-270-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Director’s Office
Functional Title	Senior Deputy Director for Administration
Incumbent	Vacant
Supervisor	Chief Deputy Director who reports to the Director
Location	Cook County

E3. Illinois Department of Children & Family Services – proposed exemption

Position Number	40070-16-67-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Division of Monitoring
Functional Title	Deputy Director of Monitoring
Incumbent	Vacant
Supervisor	Director
Location	Cook County

CMS Recommendation: “These positions do meet the reporting criteria of the Commission Rules and considering the similarities of all three requested positions with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

F. Illinois Criminal Justice Information Authority – proposed exemption

Position Number	40070-50-05-700-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Targeted Violence Prevention Program
Functional Title	Director-Targeted Violence Prevention program
Incumbent	Vacant
Supervisor	Executive Director
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarity of the requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

G. Illinois Department of Veterans' Affairs – proposed exemption

Position Number	40070-34-00-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Office of the Director
Functional Title	Senior Policy Advisor
Incumbent	Vacant
Supervisor	Director
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarity of the requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITION?

C: Audit Discovery & Recovery Division Manager (Revenue)

D: Human Resources Director (Historic Preservation)

**E1: Senior Deputy Director of Program Practice, Quality & Research
(Children & Family Services)**

E2: Senior Deputy Director for Administration (Children & Family Services)

E3: Deputy Director of Monitoring (Children & Family Services)

**F: Director-Targeted Violence Prevention Program
(Illinois Criminal Justice Information Authority)**

G: Senior Policy Advisor (Veterans' Affairs)

VI. REPORT ON THE STATUS OF PRIVATE SECRETARIES AND CONFIDENTIAL ASSISTANTS EXEMPT FROM JURISDICTION B PURSUANT TO SECTION 4D(1) OF THE PERSONNEL CODE

VII. CLASS SPECIFICATIONS

A. Governing Rule – Section 1.45 Classification Plan

The Commission will review the class specifications requiring Commission approval under the Classification Plan and will approve those that meet the requirements of the Personnel Code and Personnel Rules and conform to the following accepted principles of position classification:

- a) The specifications are descriptive of the work being done or that will be done;
- b) Identifiable differentials are set forth among classes that are sufficiently significant to permit the assignment of individual positions to the appropriate class;
- c) Reasonable career promotional opportunities are provided;
- d) The specifications provide a reasonable and valid basis for selection screening by merit examinations;
- e) All requirements of the positions are consistent with classes similar in difficulty, complexity and nature of work.

B. None submitted

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

VIII. MOTION TO CLOSE A PORTION OF THE MEETING

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION, AND/OR SPECIFIED EMPLOYMENT MATTERS?

IX. RECONVENE THE REGULAR OPEN MEETING

X. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	7/31/15	8/31/15	8/31/14
Agriculture	6	6	0
Arts Council	0	1	0
Central Management Services	1	4	0
Children and Family Services	1	2	2
Corrections	0	0	1
Employment Security	0	1	0
Healthcare and Family Services	4	5	4
Historic Preservation Agency	0	3	5
Human Rights	0	0	1
Human Services	4	7	3
Insurance	1	1	0
Juvenile Justice	0	0	1
Natural Resources	35	43	26
Public Health	0	1	0
Revenue	6	6	2
State Retirement Systems	5	5	1
Transportation	0	2	0
Workers' Compensation Commission	0	1	0
Totals	63	88	46

XI. PUBLICLY ANNOUNCED DECISIONS RESULTING FROM APPEALS

DA-14-14

Employee	Peter C. Vines	Appeal Date	12/26/13
Agency	State Police	Decision Date	09/04/15
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Daniel Stralka		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

DA-39-15

Employee	Joseph A. Kath	Appeal Date	3/18/15
Agency	Natural Resources	Decision Date	9/04/15
Appeal Type	Discharge	Proposal for Decision	60-day suspension.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

RV-44-15

Employee	Monica L. Barry	Appeal Date	4/27/15
Agency	Central Mgmt. Services	Decision Date	8/27/15
Appeal Type	Rule Violation	Proposal for Decision	Violation found; CMS is directed to allow Monica Barry to take a typing test and to insure its employees understand that a medical leave of absence does not prevent employees from taking a typing test.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XII. APPEALS TERMINATED WITHOUT DECISION ON THE MERITS

DA-18-15

Employee	Fee F. Habtes	Appeal Date	10/22/14
Agency	Veterans' Affairs	Decision Date	08/20/15
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; agency withdrew charges.
ALJ	Andrew Barris		

S-45-15

Employee	Percy V. Coleman	Appeal Date	4/29/15
Agency	Corrections	Decision Date	8/31/15
Appeal Type	Suspension	Proposal for Decision	Dismissed subject to approval of Commission; settled.
ALJ	Daniel Stralka		

DA-52-15*

Employee	Percy V. Coleman	Appeal Date	6/16/15
Agency	Corrections	Decision Date	8/31/15
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; settled.
ALJ	Daniel Stralka		

DA-7-16

Employee	Edgar L. Howard	Appeal Date	8/17/15
Agency	Child & Family Svcs.	Decision Date	9/01/15
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of Commission; withdrawn.
ALJ	Daniel Stralka		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSALS FOR DECISION IN THE ABOVE MATTERS?

XIII. FY 2015 ANNUAL REPORT

WILL THE COMMISSION APPROVE THE FISCAL YEAR 2015 ANNUAL REPORT?

*Effective June 18, 2015 the discharge appeal of Percy Coleman (DA-52-15) was consolidated under Illinois Department of Corrections v. Percy V. Coleman, S-45-15.

September 18, 2015

XIV. MEETING SCHEDULE FOR 2016

WILL THE COMMISSION APPROVE THE FOLLOWING AS ITS MEETING SCHEDULE FOR 2016?

January 15, 2016	Springfield	July 15, 2016	Chicago
February 19, 2016	Chicago	August 19, 2016	Springfield
March 18, 2016	Chicago	September 16, 2016	Chicago
April 15, 2016	Chicago	October 21, 2016	Chicago
May 20, 2016	Springfield	November 18, 2016	Chicago
June 17, 2016	Chicago	December 16, 2016	Chicago

Chicago meetings commence at 11:00 a.m. Springfield meetings commence at 1:30 p.m.

XV. STAFF REPORT

XVI. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held at 11:00 a.m. on Friday, October 16, 2015 in the Commission's Chicago office.

XVII. MOTION TO ADJOURN